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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Richard J. Lynch

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EXAMINER

TRAN, THIEN D

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/716,304	Applicant(s) LYNCH ET AL.	
	Examiner Thien D Tran	Art Unit 2665	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 11, 12 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11, 12 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/18/</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 7 recites the limitation "the display comprises a display". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 11, 12, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soliman (U.S Patent No. 6,671,291 B1) in the view of Kotzin et al (U.S Patent No. 6,553,228 B1).

Regarding claim 1, Soliman discloses a system for automatically setting a clock, comprising:

a RF/IF13 (mobile station) configured for, col.4 line 41:

acquiring a Code Division Multiple Access (CDMA) pilot signal from a base station, col.4 lines 60-65,

receiving a CDMA sync channel message based on the pilot signal, col.4 lines 60-65, and

calculating a local time based on the CDMA sync channel message, col.4 lines 60-65; and

an adjustable (resettable) clock 30 externally coupled to the mobile station, col.5 lines 30-35, including a Voltage control oscillator (oscillator), figure 3, for maintaining a current time and a processor configured for:

repetition adjustment (periodically) obtaining an indication of the local time from the mobile station, col.5 line 39, and

adjusting (resetting) the current time to reflect the local time obtained from the mobile station, col.5 lines 30-35.

Soliman does not disclose that a mobile station providing two-way voice telephone communication. However, Kotzin discloses the mobile station providing two-way voice telephone communication, figure 1. Therefore, it would have been obvious to one having ordinary skill in the art to have the mobile station providing two-way voice telephone communication so that the conversion between two users can be carried on properly.

Soliman does not disclose a resettable including a Voltage control oscillator (oscillator) and a processor for maintaining a current time. However, Soliman discloses a system for adjusting clock time in a communication device having a Voltage control oscillator (oscillator) and a processor for maintaining a current time. Therefore, it would have been obvious to one having ordinary skill in the art modify to the system of

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Soliman by having the resettable including a Voltage control oscillator (oscillator) and a processor for maintaining a current time so that the synchronization of clock frequency between a time source and a communication device can be achieved properly.

Regarding claim 2, Soliman discloses a system, further comprising connector (interface logic) coupling the RF/IF13 & station16 (mobile station) and the resettable clock; wherein:

the RF/IF13 (mobile station) is configured to operate at a first logic level, col.5 lines 5-25;

the resettable clock is configured to operate at a adjusting level second logic level that is incompatible with the first logic level, col.5 lines 28-35; and

the connector (interface logic) is configured to receive the indication of the local time at the first logic level and provide the indication of the local time to the resettable clock at the second logic leve, col.4 line 48.

Regarding claim 3, Soliman discloses a system, wherein:

the mobile station is further configured for:

acquiring another CDMA pilot signal from another base station,

receiving another CDMA sync channel message based on the other CDMA pilot signal, and

calculating a new local time based on the other CDMA sync channel message;

and

the resettable clock is further configured for resetting the current time to reflect the new local time. See col.5 lines 15-35.

Regarding claim 4, Soliman discloses a system, wherein the local time and the new local time indicate local times in different locations (time zones). See col.9 lines 1-15.

Regarding claim 11, Soliman discloses a resettable clock comprising:

- an oscillator, figure 3;
- a processor for maintaining a current time based on output of the oscillator, figure 1;
- a connector (interface logic) coupling the RF/IF13 & station16 (mobile station) and the resettable clock interface to a CDMA network compatible receiver, col.4 line 48; and
- a processor coupled to the interface and configured for, figure 1:
 - maintaining a current time based on output of the oscillator, figure 3;
 - repetition adjustment (periodically) obtaining an indication of the local time from the mobile station, col.5 line 39; and
 - resetting the current to reflect the local time obtained from the interface to the CDMA network compatible receiver. See col.5 lines 5-45.

Soliman does not disclose a display for outputting current time to a user. However, it would have been obvious to one having ordinary skill in the art to have the feature of display time on the clock to the user so that the user can know what time is it.

Regarding claim 12, Soliman discloses a system, wherein:

- the CDMA network compatible receiver is configured to operate at a first logic level, col.5 lines 1-38;

the resettable clock is configured to operate at a second logic level that is incompatible with the first logic level; and the interface is configured to receive the indication of the local time at the first logic level and provide the indication of the local time to the resettable clock at the second logic level. See col.5 lines 5-45.

Regarding claim 20, Soliman disclose a connector (interface) connecting between a mobile and a clock in a base station and that the indication of time calculated for sending to the clock through the connector (interface receiving local time from CDMA mobile telephone, col.5 lines 25-35.

5. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soliman (U.S Patent No. 6,671,291 B1) in the view of Miller (U.S Patent No. 5,511,067).

Regarding claim 5, Soliman discloses all the limitations of the base claim. However, Soliman does not disclose the mobile is configured to use CDMA sync message to receive a transmission from the base station in a paging or traffic channel. Miller discloses a system for the mobile configured to use sync message to acquire access to paging and traffic channel, col.5 lines 55-65. Therefore, it would have been obvious to one having ordinary skill in the art to use the sync message to receive data in paging and traffic channels because the data sync message helps the mobile enable to receive data in paging and traffic channel correctly by synchronizing with the reading frames.

6. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Soliman (U.S Patent No. 6,671,291 B1).

Regarding claims 6-7, Soliman discloses all the limitations of the base claim. However, Soliman does not disclose that his adjustable clock system being used in the car such as automobile (automobile must have one or more passengers). However, it would have been obvious to one having ordinary skill in the art to have a resettable clock system have been used in variety of industrial applications, included in the car to achieve a potential profit in the automotive industry when marketing the adjustable clock of soliman attached to the car.

Regarding claim 8, Soliman does not disclose displaying geographic information on the resettable clock. However, it would have been obvious to one having ordinary skill in the art to add some more geographic information related to current local time (when the current local time calculated) on the clock for the economical reasons.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any


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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (571) 272-3156. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

Thien Tran



STEVEN NGUYEN
PRIMARY EXAMINER